

**MINUTES  
INLAND WETLANDS AND WATERCOURSES COMMISSION  
MARCH 2, 2010**

**MEMBERS PRESENT:** Richard Girouard, Chairman  
Arlyne Fox, Vice Chairman (left meeting at (9:45 p.m.)  
John Lauria  
David Lucas  
Richard Deecken  
Lars Jorgensen  
Carmine DeFeo  
Kevin Chamberlain, Alternate  
Frank Marcus, Alternate

**ALSO PRESENT:** Stephen Savarese, PE, LS Town Engineer

The Chairman convened the meeting at 7:35 p.m.  
Arlyne Fox led the Commission in the Pledge of Allegiance.  
Richard Deecken read the public hearing notice.

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT the Inland Wetlands and Watercourses Commission of the Town of Trumbull will hold a Public Hearing on Tuesday, March 2, 2010, at 7:30 p.m. in the Trumbull Town Hall Courtroom, 5866 Main Street, Trumbull, Connecticut, on the following applications:

Application 10-04 Emilio Ferri. Permit approval to construct a single family residence, driveway and associated grading in a regulated area at Parcel C Sycamore Street.

A copy of the application and maps are on file for public inspection in the Town Engineer's Office, Town Hall, Trumbull, Connecticut.

Dated at Trumbull, Connecticut this 11<sup>th</sup> day of February, 2010.  
Richard H. Girouard, Sr., Chairman  
Inland Wetlands and Watercourses Commission of the Town of Trumbull

**Public Hearing.**

The Chairman opened the public hearing at 7:40 p.m.

Application 10-04 – Emilio Ferri. Permit approval to construct a single family residence, driveway and associated grading in a regulated area at Parcel C Sycamore Street. Attorney Raymond Rizio, 1 Post Road, Fairfield was present for the applicant and submitted certified mailing cards. Attorney Rizio described the site plans and plans for Sycamore Street. He also summarized prior site plans and alternates. The house will be 6.9 feet at its closest corner to the wetlands and there will be no wetland filling or disturbance. He also stated there will be no negative impact on any neighboring properties and no damage to the quality of the wetlands. Attorney Rizio said they would agree as conditions of approval that all of the work from the machinery side and digging up footings would be done from the high side and they will install a post and rail fence along the wetland line for demarcation of the wetland boundaries.

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It was pointed out that the location of the garage doors is incorrectly shown on the plans and Attorney Rizio indicated that will be corrected and will agree as a condition of approval that the elevations for the garage doors be changed.

Bill Baer of Pereira Engineering, 1 Enterprise Drive, Shelton was also present for the applicant. He stated the house has been rotated parallel with the street line. He summarized the road drainage, roof drainage, sanitary sewers, infiltrators, and swale designs as well as pre and post stormwater conditions for 2, 5, 10, 25, 50 and 100. The house has been moved into the lower corner of the lot. Siltation and erosion controls were described and he stated there should be no erosion or sedimentation affecting the wetlands if they are maintained and repaired as needed.

The Commission asked questions regarding the grading around the house, wetland lines, location of the stockpiles, catch basins, curbing, extending the road, silt fence maintenance, erosion controls and construction schedules for the site work and limits of disturbance. These questions were addressed by Attorney Rizio, Mr. Baer and/or Mr. Ferri. The applicant agreed to remove by hand any branches, downed trees, vines and debris that are in the wetlands on the site.

No additional fill will be brought onto the site and there will be no clear cutting. Attorney Rizio stated they will put up the silt fence and the post and rail fence along the wetlands' line so there is a clear demarcation prior to any disturbance on the property.

Henry Moeller a soil scientist from Southbury highlighted the work he did last March on the site and described the upland soils and the wetland soils on the property. There is a brook that cuts through the east side of the property and also leaves the property on the east side. There has been substantial modification to the brook or intermittent water course. It was channeled, dug down and straightened, and the soil material dumped along the western side and on the eastside of the brook there is lawn right down to the watercourse. There are a lot of organic branches and debris on the berm. Mr. Moeller described how the berm functions as protection for the brook and it has altered the wetland and made those soils drier. He further described the condition and flow of the brook. He mentioned that it was dry at the time of his inspection.

Mr. Moeller described the deep holes he dug on the site and summarized the types of soils he found on the site. He also discussed site mitigation, functions of the wetlands, site clean-up, trees and vegetation.

Attorney Rizio reiterated that this plan has no negative impact, no destruction and no disturbance of the wetlands and measures will be taken to make sure the wetlands are protected.

He also stated they will agree to the following as conditions of approval:

- no stockpiling of material on the site or right away;
- install a post and beam fence along the wetland boundary prior to any construction;
- installation of soil and sedimentation controls;
- reduce the limits of disturbance to the actual grading areas as shown once the stockpile is removed;
- either extend the road to incorporate the catch basin with a curb at the end or to move the catch basin into the road as shown and to install curb at the end of the road
- correct plan to show garage doors coming in from the front.

The Chairman asked if anyone from the public wished to speak.

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Attorney Joel Green of Green of Gross, Bridgeport represents neighbors and abutters: Denice Daniels-Fogel, 42 Linden Avenue, Derek Hayes, 48 Linden Avenue, Stephen and Rosa O'Connell, 4291 Madison Avenue and George and Nancy Bushnell, 19 Camelot Drive. His clients oppose the proposed development. He summarized the background of the site and stated half the site is wetlands and the entire site is regulated area. He stated the basic fundamental problem is the house is too big for the site and has an 1800 foot footprint, 2 story structure and 5400 square foot house. He pointed out that the three previous applications were denied. His clients are concerned about wildlife, vegetation and change in their neighborhood.

He discussed abutters, the proposed improvement and development of Sycamore Street, feasible and prudent alternatives and previous applications. He questioned quality and quantities of the fill, stockpiles, grading, fill being brought in and removed, distance of house to the wetlands, impervious surfaces and the size of the house.

Denice Daniels-Fogel, 42 Linden Avenue stated fill was brought in and she saw dump trucks dumping fill onto the applicant's properties.

Attorney Rizio stated Sycamore Street and the improvements to Sycamore Street have already been approved by the Town and the applicant has the ability to extend it and it is not part of this application because he has the right and it was established when he got the other two lots. He also addressed dumping on the site and said reasonable and prudent alternatives were provided. He stated the applicant will reduce the home or reposition the home and keep at least a 12 foot setback from the wetlands.

As conditions of approval they would agree:

- to install silt fencing 6 feet from the foundation and another silt fence along the wetlands;
- no part of the foundation would be closer than 12 feet from the wetlands.

Discussions took place regarding Sycamore Street, paving, and previous applications and approvals.

The Commission requested the applicant to come back with a revised plan for a smaller house and do research on the road regarding the wetlands.

The applicant agreed to continue the public hearing to the next scheduled meeting of April 6, 2010, to submit a plan that shows the conditions that were discussed and a smaller house.

Motion made (Lauria) seconded (Fox) to CONTINUE the public hearing on Application 10-04 (Ferri) to the next regularly scheduled meeting of April 6, 2010. Discussion. All in favor – MOTION CARRIED UNANIMOUSLY.

Motion made (Fox) seconded (Deecken) to close the public hearing at 9:10 p.m. No Discussion. All in favor -MOTION CARRIED UNANIMOUSLY.

The Chairman called a recess at 9:10 p.m.

The Chairman reconvened the meeting at 9:25 p.m.

The Chairman opened new business at 9:25 p.m.

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**New Business:**

Application 10-05 – Brian Picard, Sunset Associates, LLC (Owner: Gary Cifatte). Permit approval to construct second floor addition and proposed sewer lateral in a regulated area at 104 Williams Road. Gary Cifatte, 104 Williams was present with Brian Picard of Sunset Associates were present and stated they want to dig a sewer line and construct an addition. The house currently has septic and they want to connect to the lateral that is already there. Brian Picard stated no digging of the road will be required and the dark stairs that are shown on the plan will not be built.

Motion made (Lauria) seconded (Fox) to RECEIVE Application 10-05 (Picard/Cifatte). Discussion. All in favor - MOTION CARRIED UNANIMOUSLY.

Application 10-06 – Leonel Pereira. Permit approval to enclose existing decks in a regulated area at 59 McGuire Road. Angela Pereira, 59 McGuire Road was present and stated they want to enclose two decks in the back of the house. Water gets in through the doors and causes damage. The applicant stated the work has started. A letter from the building department to the applicant was discussed regarding the work that has been done and what needs to be corrected.

Motion made (Lauria) seconded (Fox) to RECEIVE Application 10-06 (Pereira). Discussion. MOTION CARRIED - 6 in favor (Girouard, Fox, Lauria, Lucas, DeFeo, Jorgensen) 1 abstention (Deecken).

Commissioner Fox left the meeting due to illness at 9:45. Alternate Frank Marcus will be voting in Ms. Fox's place.

Application 10-03 – City of Bridgeport. Permit approval to construct Multi-Magnet High School, in a regulated area at Trumbull Road Rear (Map H11/16). Stephen Studer of Berchem, Moses & Devlin was present for the applicant. He stated the information the Commission requested at the last meeting has been done. He indicated they have consultants present and an overview of the application will be presented. The City of Bridgeport is trying to acquire 35 acres from the State of Connecticut for the construction of a regional multi-magnet high school.

He summarized the plan for the Fairchild Wheeler Multi Magnet High School which will be located in the Fairchild Wheeler Memorial Park. The site has access on Quarry Road and Old Town Road. Route 25 goes right through the parcel and this was shown on aerial photos of the site. Approximately 32 acres are on the west side of Route 25 and 2.89 acres are on the east side. The existing road will be abandoned and a new road will be constructed further north. Approximately 16 acres along the northern portion of the property will be retained by the State of Connecticut as a park. He pointed out on the aerial photo that the site is surrounded by residential uses to the south, west, north and to the east by commercial uses. Currently there is no parking or car access to the park. The applicant is proposing parking off of Old Town Road, clean up the park and school areas, and improve the existing trails. He gave a brief history of the site.

The school will consist of three interconnected schools or magnets and it will be environmentally friendly with state of the art functions. The site was picked for its proximity to its educational partners and Beardsley Park, ease of access and reasonable busing times via Routes 25 and 15 for students from other towns.

George Logan, 164 East Center Street, Manchester, Connecticut a soil scientist and professional wetland scientist was present for the applicant. He gave a brief overview of the site and which consists of mature

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forest with some wetlands. He used the aerial photos to point out the wetlands and he described the wetland areas on the property in particular wetland numbers 2 and 4, one is less than 5000 square feet and the other is 3000 square feet and are isolated and not connected ecologically with any other wetlands. He described functions and values of the different wetlands some of which are streams or seasonal pools and stated there are no vernal pools on the site. Reasoning for this site was based on: fragmentation and habitat; highway; and evasive species. There will be both direct and indirect impacts on the wetlands and one small wetland will be filled.

Mr. Logan also addressed stormwater management and stated it will have no adverse impacts. This will be a low impact development with green roofs and swales and the 2004 guidelines have been met. They will compensate by restoring and enhancing wetlands and he pointed out the areas where 10,800 square feet of wetland creation and restoration will be.

Mr. Logan answered various questions from the Commissioners and discussions also took place regarding vegetation, wildlife, hydrology, and access roads.

Bruce Kellogg of JCJ Architecture explained borings, flags and wetland flags on the site. Mr. Logan indicated that some of the flags are old and not his.

Mr. Studer indicated that was the quick overview and they will get into more detail at the public hearing. Times and dates for site walks were discussed and agreed on. Waivers of site walk and public hearing time constraints were agreed on by Attorney Studer. Aerial photos and diagram exhibits were submitted into the record.

Motion made (Lauria) seconded (DeFeo) to RECEIVE Application 10-03 (City of Bridgeport). MOTION CARRIED UNANIMOUSLY.

Motion made (Marcus) seconded (Lucas) to close regular business at 10:35 p.m. No Discussion. All in favor - MOTION CARRIED UNANIMOUSLY.

**Correspondence:**

Application 09-34 Herndon – February 2, 2010 – cease and desist letter.

Edward Herndon, 74 Sunnycrest Road was present and stated he hired a company to cut down 5 trees and while he was not at home too many trees were cut down. Mr. Herndon indicated that 26 trees were cut down and he did not give permission for that number of trees to be cut and they were not included in the work he contracted for with the owner of the company. He apologized and said this is an unfortunate mistake and he will replant or do whatever the Commission requires.

Steve Savarese stated this is an enforcement action on an existing permit. Mr. Herndon agreed to stake the pool area again for a site walk.

Motion made (Deecken) seconded (Lucas) to close correspondence. No Discussion. All in favor – MOTION CARRIED UNANIMOUSLY. (Marcus, Jorgensen, DeFeo – not voting)

**Minutes:**

There being no objections meeting minutes of February 2, 2010 and field inspection minutes of February 23, 2010 were accepted.

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**Work Session:**

The Chairman opened the work session at 10:55 p.m.

After discussion and review, the Commission took action as follows:

Motion made (Lauria) seconded (Lucas) to APPROVE Application 10-05 (Cifatte/Picard), as submitted. Discussion. All in favor – MOTION CARRIED UNANIMOUSLY. After discussion and vote, subsequent motion made (Lauria) seconded (Lucas) to withdraw motion so it could be amended. Discussion. All in favor – MOTION CARRIED UNANIMOUSLY.

Motion made (Lauria) seconded (Lucas) to APPROVE Application 10-05 (Cifatte/Picard), as submitted, without the proposed dark stairs on the back deck that are shown on Lewis Associates' topographic survey dated 7-22-2009 revised 8-14-2009, and subject to the General Conditions as established by the Commission. Discussion. All in favor – MOTION CARRIED UNANIMOUSLY.

Motion made (Lauria) seconded (Lucas) to APPROVE Application 10-06 (Pereira), as submitted, subject to the General Conditions as established by the Commission and the following specific condition:

- Provide the Town Engineer with a demolition and construction plan.

Discussion. MOTION CARRIED - 6 in favor (Girouard, Marcus, Lauria, Lucas, DeFeo, Deecken) 1 abstention (Jorgensen).

Motion made (Girouard) seconded (Lucas) to elect John Lauria as Secretary of the Inland Wetlands and Watercourses Commission. Discussion. All in favor – MOTION CARRIED UNANIMOUSLY.

Motion made (Lauria) seconded (Lucas) that Application 10-03 (City of Bridgeport) be deemed a significant impact activity. Discussion. All in favor – MOTION CARRIED UNANIMOUSLY.

Motion made (Deecken) seconded (Lauria) to hold a public hearing on Application 10-03 (City of Bridgeport) on Wednesday, March 10, 2010 at 7:30 p.m. in the Trumbull Town Hall Courtroom.

There being no objections the Chairman scheduled two site inspections on Application 10-03 (City of Bridgeport) Wednesday, March 3, 2010 to meet at Town Hall at 2:30 p.m. and Saturday, March 6, 2010 to meet at the site at 9:00 a.m.

There being no objections the Commission agreed to hire a consultant, to be paid for by the applicant, to represent the Commission on Application 10-03 (City of Bridgeport) and the information will be brought to the Public Hearing on March 10, 2010.

Field inspection was scheduled for March 16, 2010 and 3:30 p.m. on 09-34 (Herndon).

There being no objections the Chairman moved to adjourn the meeting at 11:35 p.m. No discussion.

Submitted by,  
Joyce Augustinsky  
Clerk of the Commission